

08/10/99 TUE 16:48 FAX 801 581 7538

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Docket No. 2323-136

Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought, on the invention entitled MUTATIONS IN AND GENOMIC STRUCTURE OF HERG-A LONG QT SYNDROME GENE, the specification of which

☐ is attached hereto.

☒ was filed on January 6, 1999

Application Serial No. 09/226,012

and was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed
☐ Yes ☐ No

(Number)

(Country)

(Day/Month/Year)

Prior Foreign Application(s)

Priority Claimed
☐ Yes ☐ No

(Number)

(Country)

(Day/Month/Year)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

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(Application Serial No.) (Filing Date)
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

09/122,847

(Application Serial No.)

July 27, 1998
(Filing Date)

Pending
(Status)

(Application Serial No.)

(Filing Date)

(Status)

I or we hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to ROTHWELL, FIGG, ERNST & KURZ, P.C., Suite 701-E, 555 13th Street, N.W., Washington, D.C. 20004


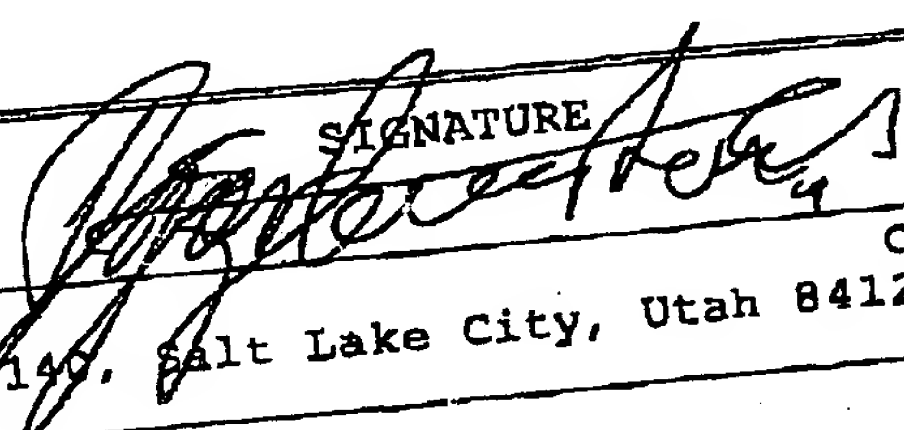
G. Franklin Rothwell, Reg. No. 18,125
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Bart G. Newland, Reg. No. 31,282
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Stephen B. Parker, Reg. No. 36,631
Minaksi Bhatt, Reg. No. 35,447
Don M. Kerr, Reg. No. 22,720
Jeffrey L. Ihnen, Reg. No. 28,957
Stephen A. Saxe, Reg. No. 38,609
Glenn E. Karta, Reg. No. 30,649

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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FIRST NAMED INVENTOR Mark T. KEATING		SIGNATURE 	DATE 3/16/99
RESIDENCE 78 Laurel Street, Salt Lake City, Utah 84103		CITIZENSHIP United States of America	
POST OFFICE ADDRESS Same as above			
SECOND NAMED INVENTOR Igor SPLAWSKI		SIGNATURE 	DATE 3/16/99
RESIDENCE 3991 South 900 East 1400 Apt. 140, Salt Lake City, Utah 84124		CITIZENSHIP Poland	
POST OFFICE ADDRESS Same as above			
THIRD NAMED INVENTOR		SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FOURTH NAMED INVENTOR		SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			

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Applicant or Patentee: Mark T. KEATING et al.
Serial or Patent No.: 09/226,012 Attorney's Docket No. 2323-136
Filed or Issued: 06 January 1999
For: METHOD TO DETERMINE PREDISPOSITION TO HYPERTENSION

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the
nonprofit organization identified below:

NAME OF ORGANIZATION University of Utah Research Foundation
ADDRESS OF ORGANIZATION 421 Wakara Way, Suite 170,
Salt Lake City, Utah 84108

TYPE OF ORGANIZATION

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE 26 USC 501(a)
and 501(c)(3)
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE
UNITED STATES OF AMERICA
(Name of State _____)
(Citation of Statute _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE
(26
USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF
AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE
OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED
STATES OF AMERICA
(Name of State _____)
(Citation of Statute _____)

I hereby declare that the nonprofit organization identified above qualifies
as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of
paying reduced fees under Section 41(a) and (b) of Title 35, United States
Code with regard to the invention entitled MUTATIONS IN AND GENOMIC STRUCTURE OF
HERG-A LONG QT SYNDROME GENE by inventor(s) Mark T. KEATING et al. described in

- ☐ the specification filed herewith
☒ application serial no. 09/226,012, filed 06 January 1999
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and
remain with the nonprofit organization with regard to the above identified
invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Arundeeep S. Pradhan

TITLE IN ORGANIZATION Associate Director, Technology Transfer Office

ADDRESS OF PERSON SIGNING 421 Wakara Way, Suite 170

Salt Lake City, Utah 84108

Signature



Date

Feb. 26. 1999